



Our Docket No: 042390.P6488C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#3

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OFFICE OF PETITIONS
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In re Application of:

Shah-Nazaroff et al.

Application No: 09/904,825

Filed: Concurrently Herewith

For: Method and Apparatus for Collecting
and Providing Viewer Feedback
to a Broadcast

Examiner: Not Yet Assigned

Art Unit: Not Yet Assigned

First class CERTIFICATE OF MAILING
(37 C.F.R. § 1.8 (a))

I hereby certify that this correspondence is being deposited
with the United States Postal Service as first class mail
and sufficient postage in an envelope addressed to the
Commissioner for Patents, Washington, D.C. 20591.

On August 16, 2001
Date of Deposit

April Worley
Name of Person Mailing Correspondence

April Worley 8/16/01
Signature Date

PETITION

Assistant Commissioner for Patents
Washington, D.C. 20231

1. This is in response to the "Notice of Omitted Items" mailed for this application on August 9, 2001. A copy of the "Notice of Omitted Items" is enclosed herewith.
2. Applicants petition to accept the date of this submission as the application filing date.
3. Applicants request the acceptance of the enclosed omitted drawing figures 8 and 9 in the continuation application identified above. These drawings were originally filed in the parent application and so no supplemental declaration is required.
4. Attached is a check in the amount of \$130.00.

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 8/16/01

Gordon R. Lindeen III
Gordon R. Lindeen III
Reg. No. 33,192

12400 Wilshire Boulevard, 7th Floor
Los Angeles, California 90025-1026
(303) 740-1980

Docket No. 042390.P6488C
Application No. 09/904,825



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/904,825	07/12/2001	Anthony A. Shah-Nazaroff	42390.P6488C

CONFIRMATION NO. 7188 FORMALITIES LETTER

Gordon R. Lindeen III
 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
 Seventh Floor
 12400 Wilshire Boulevard
 Los Angeles, CA 90025-1026



OC000000006401719

Date Mailed: 08/09/2001

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) 8 & 9 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*


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Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY